

REMARKS

In regard to the Examiner's objections to the drawings, Applicant is submitting coincidentally with this response a proposed drawing correction including separate letter in order to overcome this basis of objection.

In regard to the Examiner's rejection of claims 1 and 4-11 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 8-15 of U.S. Patent 6,260,317 B1 to Fisher in view of U.S. Patent 5,160,566A to Ashby et al., Applicant submits that his invention, as now claimed, is novel and non-obvious in light of the prior art.

Specifically, the prior art fails to disclose a baffle contained completely within the interior chamber of a block wherein the outer periphery is attached along substantially the entire seam of connection of the two block halves that are connected to form the block. The Fisher patent discloses a block that has a baffle that is attached to a block not at the seam. The Ashby et al., invention is concerned with a decorative baffle that is inserted into a glass block by first cutting an access slot into the block and inserting the baffle into the block through the slot. An adhesive is placed onto the bottom edge of the baffle in order to adhere the bottom edge of the baffle to the block, and the slot is covered with a layer of silicone rubber to seal the slot and further adhere the baffle within the glass block, column 1, line 45 - column 2 line 14, column 4, lines 7-22, although it is not necessary to attach the bottom edge of the decorative baffle to the inside of the block, column 4, lines 42-47. As a slot must be cut into the Ashy et al., device and the decorative baffle passed through the slot and into the interior of the block, such mechanical passing of the decorative baffle through the slot negates a baffle that attaches to the substantially the entire seam of the block. Placement of an adhesive along the entire periphery of the decorative baffle, neither taught nor suggested by the Ashby et al., disclosure, would create smearing of the adhesive as the decorative baffle is being inserted into the interior space of the block, which smearing would create a rather

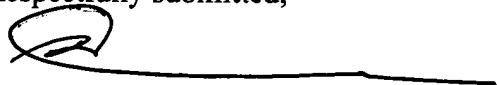
unsightly appearance. Additionally, the Ashby et al., disclosure only calls for the side edges of the decorative baffle to be adjacent the interior surfaces, not attached to the interior surfaces of the block, column 2, lines 3-9. As the Ashby et al., device is strictly concerned with an aesthetic baffle, not a baffle for controlling air flow within the interior chamber of the block, the Ashby et al., device neither teaches nor suggests a baffle that is connected to substantially the entire seam of the block.

Likewise, the patent to Agrawal et al., is silent as to wear the baffle connects within the block. The disclosure of attachment of the baffle to the block is vague and unclear and as the baffle is concerned with optical properties of the baffle, no teaching or suggestion is provided for a baffle that connects to the interior of a block along substantially the entire seam of the block.

In view of the foregoing remarks and amendments, it is respectfully submitted that this application is now in condition for allowance, therefore an early notice to this effect is courteously solicited

Applicant submits that the foregoing amendments to the claims are being made for prosecution expediency and that he will be filing a continuation application with the original claims and a properly worded terminal disclaimer.

Respectfully submitted,



Peter Loffler
Registration no. 35,751
P.O. Box 1001
Niceville, Florida 32588-1001
(850) 729-1520

CERTIFICATE OF MAILING

I HEREBY CERTIFY that the foregoing was deposited with the United States Postal Service, First Class Postage prepaid, addressed to the Commissioner of Patents and Trademarks, this 12th day of December, 2003.



Peter Loffler

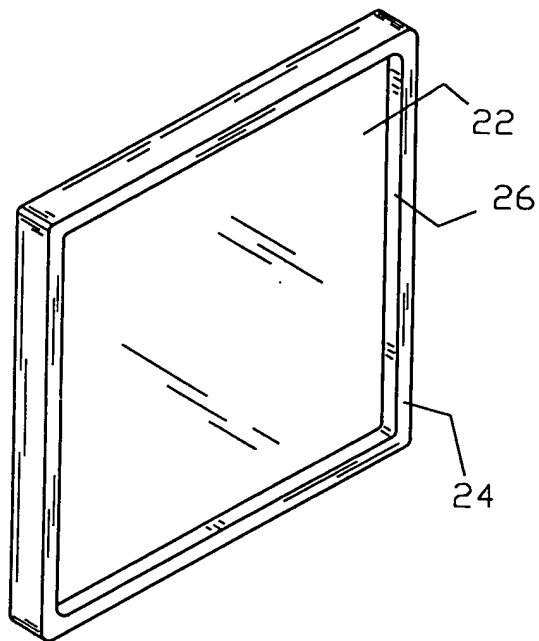


Fig. 3

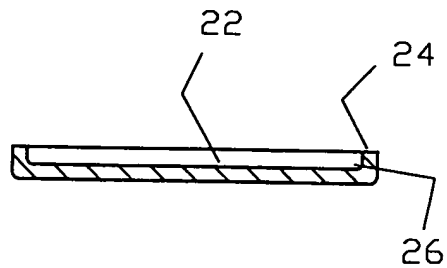


Fig. 4

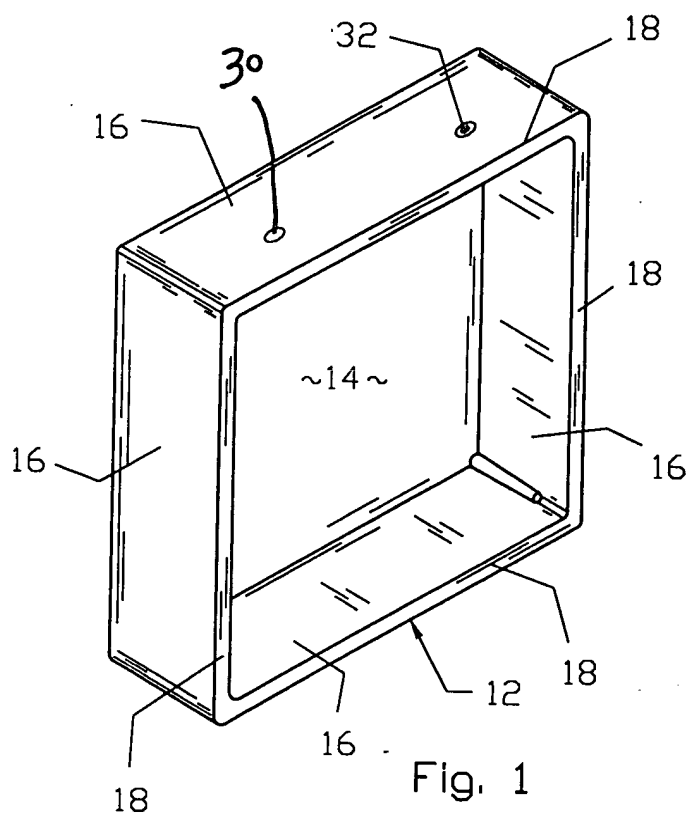


Fig. 1

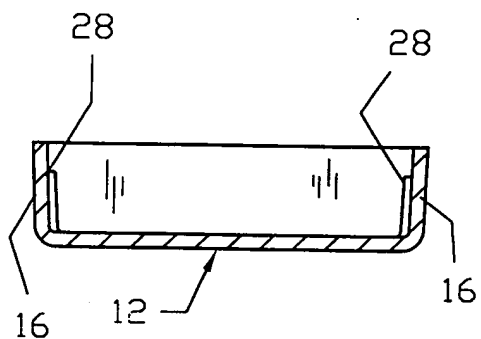


Fig. 2